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**STATE OF IOWA**

# **Senate Journal**

**WEDNESDAY, APRIL 12, 2017**

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# JOURNAL OF THE SENATE

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NINETY-FOURTH CALENDAR DAY  
SIXTY-FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, April 12, 2017

The Senate met in regular session at 9:03 a.m., President Whitver presiding.

Prayer was offered by Pastor Dave Childers of the State of Iowa, Church of Nazarene. He was the guest of Senator Rozenboom.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Tanner Halleran.

The Journal of Tuesday, April 11, 2017, was approved.

## RECESS

On motion of Senator Dix, the Senate recessed at 9:13 a.m. until the completion of a meeting of the Agriculture and Natural Resources Appropriations subcommittee.

## RECONVENED

The Senate reconvened at 4:48 p.m., President Whitver presiding.

## CONSIDERATION OF BILLS

Senator Dix called up for consideration of Senate Files 444, 442, 463, and 481.

Senator Hogg raised the objection that [Senate File 481](#) is not eligible under Joint Rule 20 and would require a concurrent resolution to be eligible for consideration.

President Whitver will take the objection under advisement and [Senate File 481](#) will be **deferred** until he reaches a decision.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bertrand, until he arrives, on request of Senator Dix.

#### HOUSE AMENDMENT CONSIDERED

#### [Senate File 444](#)

Senator Dix called up for consideration [Senate File 444](#), a bill for an act relating to public safety on highways, including the use of electronic communication devices while driving where such use results in death and the establishment of a statewide sobriety and drug monitoring program, and providing penalties, amended by the House in House amendment [S-3295](#), filed April 7, 2017.

Senator Dawson moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Dawson moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 444](#)), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Anderson	Dix	Johnson, D.	Schultz
Behn	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley

Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### UNFINISHED BUSINESS (Deferred April 10, 2017)

#### [Senate File 442](#)

The Senate resumed consideration of [Senate File 442](#), a bill for an act concerning persons voluntarily excluded from gambling facilities, and House amendment [S-3296](#), deferred April 10, 2017.

Senator Smith moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Smith moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 442](#)), the vote was:

Yeas, 47:

Allen	Danielson	Horn	Ragan
Anderson	Dawson	Jochum	Rozenboom
Behn	Dix	Johnson, C.	Schneider

Bisignano	Dotzler	Johnson, D.	Schultz
Bolkcom	Dvorsky	Kapucian	Segebart
Boulton	Edler	Kinney	Shipley
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Lykam	Taylor
Chapman	Guth	Mathis	Whitver
Chelgren	Hart	McCoy	Zumbach
Costello	Hogg	Petersen	

Nays, 2:

Quirmbach      Zaun

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Dix asked and received unanimous consent to take up for consideration [Senate File 463](#).

#### [Senate File 463](#)

On motion of Senator Brown, [Senate File 463](#), a bill for an act concerning authorized investment vehicles in a tax-sheltered investment program established by the department of administrative services, placed on the Unfinished Business Calendar on March 31, 2017, was taken up for consideration.

Senator Brown offered amendment [S-3308](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-3308](#) was adopted by a voice vote.

Senator Brown asked and received unanimous consent that [House File 569](#) be **substituted** for [Senate File 463](#).

[House File 569](#)

On motion of Senator Brown, [House File 569](#), a bill for an act concerning authorized investment vehicles in a tax-sheltered investment program established by the department of administrative services, was taken up for consideration.

Senator Bolkcom offered amendment [S-3314](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3314](#) be adopted?" ([H.F. 569](#)), the vote was:

Yeas, 19:

Allen	Dvorsky	Johnson, D.	Quirmbach
Bisignano	Hart	Kinney	Ragan
Bolkcom	Hogg	Lykam	Taylor
Boulton	Horn	McCoy	Zaun
Dotzler	Jochum	Petersen	

Nays, 30:

Anderson	Danielson	Johnson, C.	Segebart
Behn	Dawson	Kapucian	Shipley
Bowman	Dix	Kraayenbrink	Sinclair
Breitbach	Edler	Lofgren	Smith
Brown	Feenstra	Mathis	Whitver
Chapman	Garrett	Rozenboom	Zumbach
Chelgren	Greene	Schneider	
Costello	Guth	Schultz	

Absent, 1:

Bertrand

Amendment [S-3314](#) lost.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 569](#)), the vote was:

Yeas, 41:

Allen	Dawson	Johnson, D.	Schultz
Anderson	Dix	Kapucian	Segebart
Behn	Dotzler	Kinney	Shipley
Bisignano	Dvorsky	Kraayenbrink	Sinclair
Bowman	Edler	Lofgren	Smith
Breitbach	Feenstra	Lykam	Whitver
Brown	Garrett	Mathis	Zaun
Chapman	Greene	McCoy	Zumbach
Chelgren	Guth	Ragan	
Costello	Hart	Rozenboom	
Danielson	Johnson, C.	Schneider	

Nays, 8:

Bolkcom	Hogg	Jochum	Quirmbach
Boulton	Horn	Petersen	Taylor

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 442 and 444** and [House File 569](#) be **immediately messaged** to the House.

#### WITHDRAWN

Senator Brown asked and received unanimous consent that [Senate File 463](#) be **withdrawn** from further consideration of the Senate.

#### CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Dix asked and received unanimous consent to take up for consideration House Files 313, 564, and 565.

### [House File 313](#)

On motion of Senator Brown, [House File 313](#), a bill for an act requiring the removal of motor vehicles involved in certain accidents from the roadway, and providing a penalty, placed on the Unfinished Business Calendar on April 7, 2017, with report of committee recommending passage, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 313](#)), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Anderson	Dix	Johnson, D.	Schultz
Behn	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.



### [House File 564](#)

On motion of Senator Sinclair, [House File 564](#), a bill for an act relating to school district funding and authorized expenditures and transfers and including effective date, applicability, and retroactive applicability provisions, placed on the Unfinished Business Calendar on April 7, 2017, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair offered amendment [S-3309](#), filed by her from the floor to pages 5–7 of the bill, and moved its adoption.

Amendment [S-3309](#) was adopted by a voice vote.

Senator Smith offered amendment [S-3310](#), filed by him from the floor to page 6 of the bill, and moved its adoption.

Amendment [S-3310](#) was adopted by a voice vote.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 564](#)), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Anderson	Dix	Johnson, D.	Schultz
Behn	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[House File 565](#)

On motion of Senator Sinclair, [House File 565](#), a bill for an act relating to public school funding by authorizing the establishment of school district flexibility fund accounts and authorizing the transfer and expenditure of certain unexpended and unobligated funds, placed on the Unfinished Business Calendar on April 7, 2017, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair offered amendment [S-3312](#), filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-3312](#) was adopted by a voice vote.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 565](#)), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Anderson	Dix	Johnson, D.	Schultz
Behn	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiple
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

## IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **House Files 313, 564, and 565** be **immediately messaged** to the House.

CONSIDERATION OF BILLS  
(Ways and Means Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 501, 502, and 503.

Senate File 501

On motion of Senator Schultz, Senate File 501, a bill for an act relating to certain fees collected by the county sheriff, was taken up for consideration.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 501), the vote was:

Yeas, 48:

Allen	Dawson	Jochum	Ragan
Anderson	Dix	Johnson, C.	Rozenboom
Behn	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Chapman	Guth	Mathis	Taylor
Chelgren	Hart	McCoy	Whitver
Costello	Hogg	Petersen	Zaun
Danielson	Horn	Quirnbach	Zumbach

Nays, 1:

Bisignano

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### [Senate File 502](#)

On motion of Senator Breitbach, [Senate File 502](#), a bill for an act relating to banks, credit unions, and certain consumer credit transactions, was taken up for consideration.

Senator Breitbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 502](#)), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Anderson	Dix	Johnson, D.	Schultz
Behn	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### [Senate File 503](#)

On motion of Senator Anderson, [Senate File 503](#), a bill for an act providing for the deferral of unpaid installments and deferral charges for certain interest-bearing consumer credit transactions, was taken up for consideration.

Senator Anderson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 503](#)), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Anderson	Dix	Johnson, D.	Schultz
Behn	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiple
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 501, 502, and 503** be **immediately messaged** to the House.

#### CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Dix called up the appointment of Howard Hill as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on April 3, 2017, found on page 856 of the Senate Journal.

Senator Greene moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 37:

Allen	Dix	Kapucian	Segebart
Anderson	Edler	Kinney	Shiple
Behn	Feenstra	Kraayenbrink	Sinclair
Bowman	Garrett	Lofgren	Smith
Breitbach	Greene	Lykam	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Quirnbach	Zumbach
Chelgren	Hogg	Rozenboom	
Costello	Horn	Schneider	
Dawson	Johnson, C.	Schultz	

Nays, 12:

Bisignano	Danielson	Jochum	Petersen
Bolkcom	Dotzler	Johnson, D.	Ragan
Boulton	Dvorsky	Mathis	Taylor

Absent, 1:

Bertrand

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Dix called up the appointment of Chad Ingels as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on April 3, 2017, found on page 856 of the Senate Journal.

Senator Greene moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 37:

Allen	Dix	Kapucian	Segebart
Anderson	Edler	Kinney	Shiple
Behn	Feenstra	Kraayenbrink	Sinclair
Bowman	Garrett	Lofgren	Smith
Breitbach	Greene	Lykam	Whitver
Brown	Guth	Mathis	Zaun
Chapman	Hart	Quirnbach	Zumbach
Chelgren	Hogg	Rozenboom	
Costello	Horn	Schneider	
Dawson	Johnson, C.	Schultz	

Nays, 12:

Bisignano	Danielson	Jochum	Petersen
Bolkcom	Dotzler	Johnson, D.	Ragan
Boulton	Dvorsky	McCoy	Taylor

Absent, 1:

Bertrand

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Dix called up the appointment of Bob Sinclair as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on April 3, 2017, found on page 856 of the Senate Journal.

Senator Greene moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Allen	Dix	Johnson, C.	Schneider
Anderson	Dotzler	Kapucian	Schultz
Behn	Dvorsky	Kinney	Segebart
Bolkcom	Edler	Kraayenbrink	Shipley
Boulton	Feenstra	Lofgren	Sinclair
Bowman	Garrett	Lykam	Smith
Breitbach	Greene	Mathis	Taylor
Brown	Guth	McCoy	Whitver
Chapman	Hart	Petersen	Zaun
Chelgren	Hogg	Quirmbach	Zumbach
Costello	Horn	Ragan	
Dawson	Jochum	Rozenboom	

Nays, 3:

Bisignano	Danielson	Johnson, D.
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Absent, 1:

Bertrand

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

President Pro Tempore Behn took the chair at 6:32 p.m.

President Whitver took the chair at 6:33 p.m.

Senator Dix called up the appointment of Doug Ommen as Commissioner of Insurance, placed on the Individual Confirmation Calendar on March 28, 2017, found on page 805 of the Senate Journal.

Senator C. Johnson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Anderson	Dix	Johnson, D.	Schultz
Behn	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Dix called up the appointment of Jeffrey Lamberti as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on April 6, 2017, found on page 927 of the Senate Journal.

Senator Smith moved that the foregoing appointment be confirmed by the Senate.



On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Anderson	Dix	Johnson, D.	Schultz
Behn	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

The Senate stood at ease at 6:45 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 7:17 p.m., President Whitver presiding.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Chelgren, until he returns, on request of Senator Dix; and Senator Bisignano, until he returns, on request of Senator Hogg.

## CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Dix called up the following eligible appointees on the En Bloc Confirmation Calendar:

Quentin Hart, Commission on Aging

Christine Bowker, Iowa Autism Council

Timothy Fehr, Boiler and Pressure Vessel Board

Nancy Netolicky, Board of Chiropractic

Jerry Akers, Board of Cosmetology Arts and Sciences

Mary Clausen, Board of Cosmetology Arts and Sciences

David Farmer, County Finance Committee

Telina McKenna-Quintana, Commission of Deaf Services

Daniel Deutschman, Board of Dietetics

Wayne Sims, Elevator Safety Board

Alexsis Fleener, Iowa Great Places Board

Ruth Haus, Iowa Great Places Board

Harold Miller, Health Facilities Council

Jon McAvoy, Board of Hearing Aid Specialists

Marlene Sprouse, Investment Board of the IPERS

Debra Schiel-Larson, Landscape Architectural Examining Board

Thomas Bouska, Mental Health and Disability Services  
Commission

Kathryn Johnson, Mental Health and Disability Services  
Commission

Betty King, Mental Health and Disability Services Commission

Michael Jenison, Board of Nursing Home Administrators

Joan Skogstrom, Board of Pharmacy

Robert Palmer, Board of Physical and Occupational Therapy  
Melinda Shetler, Board of Physical and Occupational Therapy

Peter Stopulos, Board of Physician Assistants

Jim Cooper, Plumbing and Mechanical Systems Examining Board  
Jason Hayes, Plumbing and Mechanical Systems Examining Board

John Bennett, Board of Podiatry

Dr. Carl Heinrich, State Racing and Gaming Commission

Lawrence (Gene) Lilla, Board of Respiratory Care

Keith England, School Budget Review Committee

Megan Begley, Board of Social Work

Ashley Bahr, Board of Speech Pathology and Audiology

Tim Peterson, Technology Advisory Council

Nancy Maher, State Transportation Commission

Senator Dix moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 47:

Allen	Dawson	Jochum	Rozenboom
Anderson	Dix	Johnson, C.	Schneider
Behn	Dotzler	Kapucian	Schultz
Bisignano	Dvorsky	Kinney	Segebart
Bolkcom	Edler	Kraayenbrink	Shiple
Boulton	Feenstra	Lofgren	Sinclair
Bowman	Garrett	Lykam	Smith
Breitbach	Greene	Mathis	Taylor
Brown	Guth	McCoy	Whitver

Chapman	Hart	Petersen	Zaun
Costello	Hogg	Quirmbach	Zumbach
Danielson	Horn	Ragan	

Nays, 1:

Johnson, D.

Absent, 2:

Bertrand            Chelgren

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

#### CONSIDERATION OF BILL

Senator Dix called up for consideration [Senate File 481](#).

Senator Hogg objected and requested a ruling by the Chair on his earlier objection to the eligibility of the bill under Joint Rule 20.

President Whitver ruled “Earlier when Senator Dix called up [Senate File 481](#), Senator Hogg raised a point of order and objected under Joint Rule 20. After analyzing both Joint Rule 20 and the Bill History for [Senate File 481](#), Senator Hogg’s point is not well-taken. It is clear that [Senate File 481](#) is eligible for debate in the Senate, as it was first reported out of a standing committee by Friday of the 8<sup>th</sup> week and subsequently placed on the Unfinished Business Calendar.”

The Chair ruled the point not well-taken and [Senate File 481](#) in order.

Senator Hogg raised an objection, and moved to challenge the ruling of the Chair, stating that [Senate File 481](#) did not survive second funnel and is not attached to a House File, thus making it ineligible for debate by the Senate.

A record roll call was requested.

On the question “Shall the motion to challenge the Chair be upheld?”

The vote was:

Yeas, 20:

Allen	Dotzler	Jochum	McCoy
Bolkcom	Dvorsky	Johnson, D.	Petersen
Boulton	Hart	Kinney	Quirmbach
Bowman	Hogg	Lykam	Ragan
Danielson	Horn	Mathis	Taylor

Nays, 27:

Anderson	Dix	Kapucian	Shiple
Behn	Edler	Kraayenbrink	Sinclair
Breitbach	Feenstra	Lofgren	Smith
Brown	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach
Dawson	Johnson, C.	Segebart	

Absent, 3:

Bertrand	Bisignano	Chelgren
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The motion failed and the ruling by the Chair was upheld.

#### BUSINESS PENDING

[Senate File 481](#) was taken up for consideration.

#### [Senate File 481](#)

On motion of Senator Garrett, [Senate File 481](#), a bill for an act relating to the enforcement of immigration laws and providing penalties and remedies, including the denial of state funds to certain entities, placed on the Unfinished Business Calendar on March 31, 2017, and previously deferred, was taken up for consideration.

Senator Garrett offered amendment [S-3300](#), filed by him on April 10, 2017, striking and replacing everything after the enacting clause of the bill.

Senator McCoy offered amendment [S-3315](#), filed by him from the floor to pages 1 and 7 of amendment [S-3300](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3315](#) to amendment [S-3300](#) be adopted?” ([S.F. 481](#)), the vote was:

Yeas, 20:

Allen	Dotzler	Jochum	McCoy
Bolkcom	Dvorsky	Johnson, D.	Petersen
Boulton	Hart	Kinney	Quirmbach
Bowman	Hogg	Lykam	Ragan
Danielson	Horn	Mathis	Taylor

Nays, 28:

Anderson	Dawson	Johnson, C.	Segebart
Behn	Dix	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Absent, 2:

Bertrand	Bisignano
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Amendment [S-3315](#) to amendment [S-3300](#) lost.

Senator Garrett moved the adoption of amendment [S-3300](#).

A record roll call was requested.

Rule 23, requiring all senators present to vote except those who express a conflict of interest or conclude that they should not vote under the senate code of ethics, was invoked.

The yeas were 47, nays 0, present 1, absent 2.

Senator Taylor stated that voting was in violation of his oath of office and the senate rules.

Yeas, 47:

Allen	Dawson	Jochum	Ragan
Anderson	Dix	Johnson, C.	Rozenboom
Behn	Dotzler	Johnson, D.	Schneider

Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith
Chapman	Guth	Mathis	Whitver
Chelgren	Hart	McCoy	Zaun
Costello	Hogg	Petersen	Zumbach
Danielson	Horn	Quirmbach	

Nays, none.

Present, 1:

Taylor

Absent, 2:

Bertrand            Bisignano

Amendment [S-3300](#) was adopted.

([Senate File 481](#) was deferred.)

The Senate stood at ease at 8:43 p.m. until the fall of the gavel.

The Senate resumed session at 9:06 p.m., President Whitver presiding.

#### QUORUM CALL

Senator Dix requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent, and a quorum present.

The Senate resumed consideration of [Senate File 481](#).

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 481](#)), the vote was:

Rule 23, requiring all senators present to vote except those who express a conflict of interest or conclude that they should not vote under the senate code of ethics, was invoked.

The yeas were 32, nays 15, present 1, absent 2.

Senator Taylor stated that voting was in violation of his oath of office and the senate rules.

Yeas, 32:

Allen	Costello	Guth	Schultz
Anderson	Danielson	Johnson, C.	Segebart
Behn	Dawson	Kapucian	Shipley
Bowman	Dix	Kraayenbrink	Sinclair
Breitbach	Edler	Lofgren	Smith
Brown	Feenstra	Ragan	Whitver
Chapman	Garrett	Rozenboom	Zaun
Chelgren	Greene	Schneider	Zumbach

Nays, 15:

Bolkcom	Hart	Johnson, D.	McCoy
Boulton	Hogg	Kinney	Petersen
Dotzler	Horn	Lykam	Quirmbach
Dvorsky	Jochum	Mathis	

Present, 1:

Taylor

Absent, 2:

Bertrand	Bisignano
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

#### IMMEDIATELY MESSAGED

Senator Dix moved to **immediately message** [Senate File 481](#) to the House.



## HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 12, 2017, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 238](#), a bill for an act relating to the criminal offense of sexual exploitation by a school employee, and making penalties applicable.

[Senate File 433](#), a bill for an act relating to termination of parental rights and adoption proceedings, and providing penalties.

ALSO: That the House has on April 12, 2017, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

[House File 233](#), a bill for an act relating to the use of step therapy protocols for prescription drugs by health carriers, health benefit plans, and utilization review organizations, and including applicability provisions.

ALSO: That the House has on April 12, 2017, **amended and passed** the following bill in which the concurrence of the House was asked:

[Senate File 465](#), A bill for an act relating to medical malpractice claims, including noneconomic damage awards and expert witnesses. ([S-3316](#))

ALSO: That the House has on April 12, 2017, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 627](#), a bill for an act exempting co-owners of motor vehicles of deceased persons from fees related to the issuance of certificates of title.

Read first time and referred to committee on **Ways and Means**.

[House File 628](#), a bill for an act relating to snowmobile user permits and registration fees.

Read first time and referred to committee on **Ways and Means**.

## ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:31 p.m. until 9:00 a.m., Thursday, April 13, 2017.

## APPENDIX

### CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Hunter Folsom, Hornick—For achieving the rank of Eagle Scout, Troop 269. Senator Schultz.

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS

**Convened:** Wednesday, April 12, 2017, 1:00 p.m.

**Members Present:** Schneider, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Boulton, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach.

**Members Absent:** Bertrand (excused).

**Committee Business:** Passed SSBs 1190 and 1192.

**Adjourned:** 2:10 p.m.

#### WAYS AND MEANS

**Convened:** Wednesday, April 12, 2017, 11:05 a.m.

**Members Present:** Feenstra, Chair; Behn, Vice Chair; Jochum, Ranking Member; Anderson, Bolkcom, Breitbach, Brown, Dawson, Dotzler, Edler, McCoy, Quirmbach, Schultz, and Smith.

**Members Absent:** Petersen (excused).

**Committee Business:** Approved [HF 608](#), as amended; and [HF 617](#).

**Adjourned:** 11:25 a.m.

**ADMINISTRATION AND REGULATION APPROPRIATIONS  
SUBCOMMITTEE**

**Convened:** Tuesday, April 11, 2017, 2:00 p.m.

**Members Present:** Guth, Chair; Chapman, Vice Chair; Mathis, Ranking Member; Lykam, and Zumbach.

**Members Absent:** None.

**Committee Business:** Passed [SSB 1192](#).

**Adjourned:** 4:05 p.m.

**AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS  
SUBCOMMITTEE**

**Convened:** Wednesday, April 12, 2017, 2:20 p.m.

**Members Present:** Shipley, Chair; Brown, Vice Chair; Hart, Ranking Member; Kinney, and Rozenboom.

**Members Absent:** None.

**Committee Business:** Passed LSB 1047, as amended.

**Adjourned:** 3:30 p.m.

**EDUCATION APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Tuesday, April 11, 2017, 2:00 p.m.

**Members Present:** Kraayenbrink, Chair; C. Johnson, Vice Chair; Danielson, Ranking Member; Quirmbach, and Schultz.

**Members Absent:** None.

**Committee Business:** Passed [SSB 1191](#).

**Adjourned:** 3:20 p.m.

**JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Wednesday, April 12, 2017, 10:10 a.m.

**Members Present:** Chelgren, Chair; Dawson, Vice Chair; Dvorsky, Ranking Member; Boulton, and Garrett.

**Members Absent:** None.

**Committee Business:** Budget bills.

**Adjourned:** 11:15 a.m.

## INTRODUCTION OF BILLS

[Senate File 506](#), by committee on Appropriations, a bill for an act concerning the compassionate use of medical cannabis Act, reclassifying marijuana, including tetrahydrocannabinols, from a schedule I controlled substance to a schedule II controlled substance, providing for civil and criminal penalties and fees, and including effective date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

[Senate File 507](#), by committee on Appropriations, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and including effective date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

## STUDY BILLS RECEIVED

### [SSB 1191](#)      **Appropriations**

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters.

### [SSB 1192](#)      **Appropriations**

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and including effective date provisions.

**SSB 1193 Appropriations**

Relating to appropriations to the justice system.

**SSB 1194 Appropriations**

Relating to appropriations to the judicial branch.

**SUBCOMMITTEE ASSIGNMENTS****House File 604**

COMMERCE: Anderson, Chair; Breitbach and Petersen

**SSB 1191**

APPROPRIATIONS: Schneider, Chair; Bertrand, Bolkcom, Boulton, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach.

**SSB 1192**

APPROPRIATIONS: Schneider, Chair; Bertrand, Bolkcom, Boulton, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach.

**SSB 1193**

APPROPRIATIONS: Chelgren, Chair; Bertrand, Bolkcom, Boulton, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach.

**SSB 1194**

APPROPRIATIONS: Chelgren, Chair; Bertrand, Bolkcom, Boulton, Chelgren, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach.

**FINAL COMMITTEE REPORTS OF BILL ACTION****APPROPRIATIONS**

**Bill Title:** [SENATE FILE 506 \(SSB 1190\)](#), a bill for an act concerning the compassionate use of medical cannabis Act, reclassifying marijuana, including tetrahydrocannabinols, from a schedule I controlled substance to a schedule II controlled substance, providing for civil and criminal penalties and fees, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 19: Schneider, Kraayenbrink, Bolkcom, Boulton, Chelgren, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach. Nays, 1: Costello. Absent, 1: Bertrand.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 507 \(SSB 1192\)](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Schneider, Kraayenbrink, Chelgren, Costello, Garrett, Greene, Guth, C. Johnson, Lofgren, Rozenboom, Shipley, and Zumbach. Nays, 8: Bolkcom, Boulton, Danielson, Dotzler, Hart, Mathis, McCoy, and Ragan. Absent, 1: Bertrand.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### WAYS AND MEANS

**Bill Title:** [HOUSE FILE 608](#), a bill for an act relating to the technical administration of the tax laws by the department of revenue, including administration of the research activities credit, income taxes, and the flood mitigation program, and including effective date and retroactive applicability provisions.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3313](#).

**Final Vote:** Ayes, 14: Feenstra, Behn, Jochum, Anderson, Bolkcom, Breitbach, Brown, Dawson, Dotzler, Edler, McCoy, Quirmbach, Schultz, and Smith. Nays, none. Absent, 1: Petersen.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [HOUSE FILE 617](#), a bill for an act providing for the department of agriculture and land stewardship's administration of certain functions, relating to forest and fruit tree reservation requirements, the name of the state soil conservation committee, financing of soil conservation and water quality practices, the health of agricultural animals, issuance of two-year licenses and the collection of related fees imposed upon persons engaged in the marketing of agricultural animals and mining operations, license fees imposed upon pesticide dealers, tickets for delivering commodities in bulk, labeling of motor fuel pumps dispensing certain ethanol blended gasoline, the use of scales, providing for penalties, making penalties applicable, and including effective date provisions.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Feenstra, Behn, Jochum, Anderson, Bolkcom, Breitbach, Brown, Dawson, Dotzler, Edler, McCoy, Quirmbach, Schultz, and Smith. Nays, none. Absent, 1: Petersen.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### AMENDMENTS FILED

<a href="#"><u>S-3308</u></a>	<a href="#"><u>S.F. 463</u></a>	Waylon Brown
<a href="#"><u>S-3309</u></a>	<a href="#"><u>H.F. 564</u></a>	Amy Sinclair
<a href="#"><u>S-3310</u></a>	<a href="#"><u>H.F. 564</u></a>	Roby Smith
<a href="#"><u>S-3311</u></a>	<a href="#"><u>H.F. 563</u></a>	Brad Zaun
<a href="#"><u>S-3312</u></a>	<a href="#"><u>H.F. 565</u></a>	Amy Sinclair
<a href="#"><u>S-3313</u></a>	<a href="#"><u>H.F. 608</u></a>	Ways and Means
<a href="#"><u>S-3314</u></a>	<a href="#"><u>H.F. 569</u></a>	Joe Bolkcom
<a href="#"><u>S-3315</u></a>	<a href="#"><u>S.F. 481</u></a>	Matt McCoy
<a href="#"><u>S-3316</u></a>	<a href="#"><u>S.F. 465</u></a>	House